

NARBERTH BOROUGH

BOROUGH COUNCIL

MONTGOMERY COUNTY, PENNSYLVANIA

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A public hearing was held before the Narberth Borough Council, in Narberth Borough, Montgomery County, Pennsylvania, at the Narberth Borough Municipal Building, 100 Conway Avenue, Narberth, Pennsylvania, on Monday, January 12, 2015, commencing at 7:00 p.m., for the Narberth Borough Council Meeting.

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BOARD MEMBERS PRESENT:

AARON MUDERICK, Acting President
MICHAEL S. QUINN
CHARLES SILIO
GIGI TEVLIN-MOFFAT
ROBERT WEISBORD
RICHARD DIAZ

- - -

ALSO PRESENT:

THOMAS GRADY, Mayor
WILLIAM MARTIN, Borough Manager

- - -

COUNSEL APPEARED AS FOLLOWS:

MARC D. JONAS, ESQUIRE
Solicitor for the Borough

- - -

ALSO PRESENT:

THOMAS GRADY, Mayor
WILLIAM MARTIN, Borough Manager

- - -

TIM KUREK
OFFICIAL COURT REPORTER
(610) 278-3237

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RESIDENT

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1 **NARBERTH BOROUGH - COUNCIL MEETING**

2 **THE PRESIDENT:** Good evening,
3 everyone. Thanks for coming. I refer everyone to
4 the printed agenda that's been handed out. There
5 is going to be some deviation. I'll tell you how
6 this going to go tonight.

7 After we get through No. 5,
8 the reports of the mayor through the manager,
9 we're going to skip up to No. 10, Ordinances for
10 enactment. We're going to take public comment on
11 that issue alone, and then Council is going to
12 take some further action to discuss that
13 Ordinance. After that gets disposed of, we will
14 then go back to the Agenda Item No. 6, the
15 reports of the standing committees, and then
16 there will be further opportunity for public
17 comment for items not involving Agenda Item No.
18 10.

19 So, typically, at the first
20 meeting of the new year, we do all kinds of
21 things. We have a lot of people to swear in
22 tonight, and we're going to do that early on, but
23 I wanted to give you a brief synopsis of what's
24 going on in your town in the past year and what's
25 coming up this year.

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2 With regard to succession
3 planning that we've been dealing with under
4 Councilman Wegbreit's leadership for the past
5 year, later tonight, we'll be introducing your
6 new assistant Borough manager, who's here in the
7 audience tonight.

8 With the finance department,
9 administration under Councilman Silio, I'm proud
10 to announce again that the 2015 budget has come
11 in with no tax increase for the fifth year in a
12 row. Congratulations are due to Mr. Martin and
13 the staff and to the finance committee. That's a
14 huge accomplishment.

15 Our Public Safety Committee
16 under Vice-president Muderick has been conducting
17 negotiations with the Lower Merion FOP Lodge 29,
18 and we believe we have an agreement in principle
19 for a new police contract, and I think it's in
20 the final drafting and editing stages. So
21 congratulations to Vice-president Muderick and
22 his able legal team.

23 With regard to the public
24 works, once again, that seems to have the lion's
25 share of the activity going on. The big item for

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2 this year is we hope to start the demolition and
3 construction of the new bridge over the railroad
4 tracks on North Narberth Avenue. Watch for
5 opportunities to influence and have a say in the
6 public art aspect of that, again, being handled
7 by Councilman Wegbreit and others on the
8 committee, as well as some interested and
9 qualified citizens.

10 In addition, there are
11 several ongoing pedestrian and traffic safety
12 measures in collaboration with Mayor Grady, the
13 police department, and other local, state, and
14 federal entities.

15 Moving along to the Property
16 Committee underneath Councilman Diaz, they'll be
17 taking a comprehensive look at the recreational
18 and community assets of the Borough, some of
19 which will be discussed later this evening. They
20 should be congratulated on successful management
21 in 2014 of the 201 Sabine building, and thanks to
22 Mr. Martin as well and our property manager.

23 In the coming year, we will
24 be negotiating some tenant leases and will be
25 installing an elevator in the building that will

1 **NARBERTH BOROUGH - COUNCIL MEETING**

2 help us qualify for some emergency management
3 issues as an alternate to this site, should the
4 need arise, and also provide access to previously
5 unused sections of the building.

6 Building and zoning under
7 Councilman Weisbord has had a busy year, and I'm
8 happy to report that a draft form code has been
9 completed and will be reviewed by Council and the
10 Planning Commission, and there will be
11 significant opportunities for the public to weigh
12 in in the coming months. And all of these issues
13 of the various committee chairs get addressed
14 later on in the reports tonight.

15 Finally, economic
16 development. That's Councilwoman Gigi
17 Tevlin-Moffat. We welcome her to her first full
18 year. For those of you who don't recognize her,
19 her picture is on the front of our Borough
20 newsletter. If you didn't get a copy, they're
21 available downstairs by the front doors and they
22 have a very handy calendar in there.

23 So they had another
24 successful year of events and festivals in the
25 town. And later this evening, Ed Ridgeway, who

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2 is a consultant to the Borough in many aspects
3 will be presenting a check to the Narberth Fire
4 Department for what I understand is \$5,000, as a
5 result of the Oktoberfest, and another 5,000 I
6 believe goes to the Narberth Business Association
7 and helps runs the Dicken's Festival and some of
8 the other events that we had. So I thank
9 everyone on that team for another successful
10 year.

11 Finally, our Parking
12 Committee is looking at some commercial area and
13 efficiencies under Councilman Silio. So with
14 that, I will move on to the agenda once again.

15 Agenda item No. 4, upon
16 consideration of the minutes of December 3rd,
17 2015, caucus meeting of Council. Can I have a
18 motion?

19 **MR. MUDERICK:** So moved.

20 **THE PRESIDENT:** Can I have a
21 second?

22 **MS. TEVLIN-MOFFAT:** Second.

23 **THE PRESIDENT:** Any discussion
24 of the minutes of December 3rd, 2015?

25 (No response.)

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2 **THE PRESIDENT:** All those in
3 favor of approving say aye.

4 **MR. MUDERICK:** Aye.

5 **MR. WEGBREIT:** Aye.

6 **MR. WEISBORD:** Aye.

7 **MR. SILIO:** Aye.

8 **MR. DIAZ:** Aye.

9 **MS. TEVLIN-MOFFAT:** Aye.

10 **THE PRESIDENT:** Aye.

11 Motion passes and minutes are
12 approved.

13 Next up is the December 8,
14 regular meeting of Borough Council. Can I have a
15 motion?

16 **MR. SILIO:** So moved.

17 **THE PRESIDENT:** Second.

18 **MS. TEVLIN-MOFFAT:** I second.

19 **THE PRESIDENT:** Any
20 discussion?

21 (No response.)

22 All those in favor of approving the minutes of
23 December 8, please say aye.

24 **MR. MUDERICK:** Aye.

25 **MR. WEGBREIT:** Aye.

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2 **MR. WEISBORD:** Aye.

3 **MR. SILIO:** Aye.

4 **MR. DIAZ:** Aye.

5 **MS. TEVLIN-MOFFAT:** Aye.

6 **THE PRESIDENT:** Aye.

7 Motion passes.

8 Next up on the agenda is No.

9 5.

10 Mr. Mayor, do you have a
11 report?

12 **THE MAYOR:** Thank you, Council
13 President.

14 Welcome, everyone. I have
15 the great pleasure tonight to swear in our new
16 commission members. I would like Agnes Love, who
17 we will be greeting to the Recreation Board, to
18 come up; W. Joseph Duckworth, who is going to be
19 on our Zoning Hearing Board; James R. Nixon, with
20 the Narberth Borough Industrial Development
21 Authority; Doris Lonsdorf, with the Library
22 Board; Roderick McGiven, with the Police Pension
23 Trustee; and James Speer with the Vacancy Board.

24 **THE PRESIDENT:** Marlene
25 Richmond is our alternate for the Zoning Hearing

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2 Board.

3 **THE MAYOR:** Marlene

4 volunteered for the Zoning Board.

5 The last item of business I
6 have, from time to time, we have a town hall, in
7 our town, to hear people's viewpoints. I'm going
8 to be holding a town hall on Wednesday,
9 January 21, next week, and we're going to talk
10 about public spaces and what people's vision of
11 Narberth and downtown is. I would like to hear
12 from people. You're going to hear my vision, I
13 want to hear your vision. We're going to talk
14 about what we want from our downtown, what do we
15 expect to give future generations from our
16 downtown as well. It's an informal meeting.
17 Everyone gets the opportunity. So if you don't
18 have enough time to say what you want to say
19 tonight, please come to the town hall meeting,
20 Wednesday, January 21st, at 7:00 o'clock, in the
21 Borough Hall, right across the way.

22 **THE PRESIDENT:** Anyone who
23 wants to speak tonight, I'm sure everyone is here
24 for Forrest Avenue, give us your name and address,
25 residence, taxpayers.

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2 Do you have anything else,
3 Mr. Mayor?

4 **THE MAYOR:** Nothing else.

5 Thank you.

6 **THE PRESIDENT:** Any Council
7 members have any questions for Mayor Grady?

8 (No response.)

9 **THE PRESIDENT:** Next up would
10 be Ed Ridgeway presentation to the Narberth
11 Borough Fire Company.

12 **MR. RIDGEWAY:** For the fourth
13 year, the Narberth Business Association and the
14 Narberth Fire Department have partnered in an
15 event called Narberth Oktoberfest. We managed to
16 raise \$10,000 this year -- five thousand went to
17 Narberth Dicken's Festival, and I'd like to
18 present Mr. Henderson with this check for \$5,000
19 for the Narberth Fire Department.

20 **THE PRESIDENT:** Next up, I saw
21 Mrs. Waters in the audience. So I'll ask her for
22 the library report.

23 **MS. WATERS:** Since we're
24 talking about money, the library was very
25 successful with their recent fund drive. We

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2 raised just under \$14,000. So for all of you in
3 the community who helped us out, we are very, very
4 grateful. We feel really good about it. The
5 community is so supportive.

6 Also, speaking of beer that
7 you just mentioned, we are going to have our
8 third annual "Librewery," which is beer tasting
9 at the Merion Tribute House. It will be on March
10 13th. I frankly forget the time, but I will be
11 sending out a brochure to all of you about that.
12 So mark down Friday, the 13th, in March, we're
13 not superstitious. That's it.

14 **THE PRESIDENT:** Very good.
15 Thank you, Mrs. Water. Anything you would like to
16 say while you have such a big audience here?

17 **MS. WATERS:** Come to
18 Librewery.

19 **THE PRESIDENT:** Thank you.
20 Next up, I'm going to skip the treasurer report,
21 and there is no tax collector's report.

22 Next up is the solicitor.
23 Do you have anything to
24 report?

25 **MR. JONAS:** I do not.

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2 **THE PRESIDENT:** Mr. Martin, do
3 you have a Borough manager report?

4 **MR. MARTIN:** Not at this time.

5 **THE PRESIDENT:** That list that
6 was going around, the sign-ups, is that anywhere
7 near done or can you hand up part of it or a page
8 of it? Are we on the first page?

9 **MS. TEVLIN-MOFFAT:** Yeah.

10 **THE PRESIDENT:** Just a couple
11 ground rules. This particular public comment
12 section will be limited to the 100 Forrest Avenue.
13 You must be a resident or a taxpayer, and try to
14 keep your comments to three minutes, if you can.
15 You're going to have to give
16 your name and address. We'll have a list. So
17 we'll have that written down, but we'll ask them
18 when they come up.

19 I've got some letters on the
20 table.

21 Is Mr. McGreevey in
22 attendance?

23 **MR. MCGREEVEY:** Yes, I am.

24 **THE PRESIDENT:** Mr. McGreevey,
25 I'm going to make your letter part of the record

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2 and ask that you, you know, take the letter back
3 and read it or you can make it a part of the
4 record and you can still address. How would you
5 like to handle that?

6 **MR. MCGREEVEY:** Yeah. I was
7 planning to speak later, so however.

8 **THE PRESIDENT:** You're topic
9 is about Forrest Avenue; right?

10 **MR. MCGREEVEY:** That's right.

11 **THE PRESIDENT:** Well, you can
12 make your comments. If you need the letter, do it
13 during this portion.

14 Mr. Myers, I have a letter.
15 Is that okay, when the time comes, for you to
16 speak and then we'll make that a part of the
17 record?

18 **MR. MYERS:** Sure. If everyone
19 has covered mine, I'll make it real short.

20 **THE PRESIDENT:** And then I
21 also have a Kimberly Neff. Is Kimberly here?

22 **MS. NEFF:** Yes. I submitted
23 that anonymously, but, yes, it's me.

24 **THE PRESIDENT:** Well, you
25 submitted it again. I can make it a part of the

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2 record in the minutes and available, and you can
3 make some comments tonight if you wish, however
4 you want to do it.

5 **MS. NEFF:** Yeah. I figured
6 you would read that. Do I have to read it?

7 **THE PRESIDENT:** You don't have
8 to read it. I'll deal with that when the time
9 comes.

10 **MR. WEGBREIT:** Let's get the
11 list up here.

12 **THE PRESIDENT:** Dennis, did
13 you want to comment tonight?

14 **MR. MONTAGNA:** No.

15 **THE PRESIDENT:** One other
16 thing, I'm going to start with Ms. Boise in a
17 minute. But if what you want to say has
18 essentially been said by someone else, you know,
19 feel free to say, I agree with what so-and-so said
20 or I'm in support of Borough Council or the
21 property owner, you know, just to try to move
22 things along.

23 Before I get started, just as
24 a brief update, the Borough has had a couple of
25 what we feel were productive meetings with the

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2 owner, Mr. Ken Coil and his wife. Prior, manager
3 and solicitor met with him. Yesterday evening,
4 Councilman Wegbreit and Councilman Diaz, who is
5 head of the Property Committee and the Property
6 Committee is assigned to this matter, met with
7 Mr. Coil about Council making an executive
8 session the other night on the issue, and we met
9 in executive session for an hour this evening
10 before the meeting. And Council was encouraged,
11 I think, by the reports of Councilman Diaz and
12 Wegbreit, before anything, any decisions are
13 taken or any next steps, I think both sides --
14 and, Mr. Coil, correct me if I'm wrong. We want
15 to see the results of some remediation reports
16 and environmental things. So that may serve to
17 slow down so all the parties have a full
18 understanding as to that issue. And Council
19 fully intend to continue a dialogue with the
20 owners of the property.

21 So that being said, perhaps,
22 maybe I'll start off with Mr. Coil. And if you
23 would like to address the Council?

24 **MR. COIL:** I'll address
25 Council and all the great people of Narberth who

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2 came here to support me or just get an idea of
3 what's going on.

4 I thought I'd just give a
5 timeline of what actually happened.

6 **THE PRESIDENT:** I'm sorry.

7 Mr. Coil, could you give your name and address for
8 the record?

9 **MR. COIL:** Kenneth Coil 1108,
10 Stony Lane, Gladwyne, Pennsylvania 19035.

11 **THE PRESIDENT:** And he's also
12 the owner of 100 Forrest Avenue, Narberth;
13 correct?

14 **MR. COIL:** 19007.

15 **THE PRESIDENT:** Thank you.
16 Sorry to interrupt.

17 **MR. COIL:** To start, this
18 entire operation started last January. My brother
19 had passed away and he gave the station to my
20 niece, and I was executor of the will, and I
21 controlled the assets of his property.

22 He tried to sell the property
23 for years, when Richard was there, and he
24 couldn't get any takers, nobody was interested,
25 because there's a chemical -- it had a gas spill

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2 twenty-some years ago. But we had the tanks
3 replaced and remediation was done at that time.
4 But no one wanted to take the risk. So Richard
5 was getting ill, the place was going in
6 disrepair. So I thought this would be a great
7 opportunity for me to take it over, repair it,
8 and start a gym.

9 I have a gym in Ardmore. I
10 have a house in Ardmore that I rent out and
11 teaching and training people at night every day
12 of the week and doing a construction business
13 during the daytime. I decided that I had it with
14 the construction business, and I'd take my
15 talents and open up a gym in Narberth.

16 Richard passed away. I
17 immediately contacted my niece. I said, I'd like
18 to take this. She said, okay, we'll work out the
19 arrangements of the financing, and then I
20 proceeded.

21 I borrowed money to do the
22 renovations until my house in Ardmore sold and my
23 gym. Once I had enough money, I continued to
24 work on the house, I mean, on the garage, and
25 then I finally sold the house, paid everybody

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2 back that I borrowed from, and continued my
3 renovations, and was coming down I think it was
4 in April.

5 So we're in April. I have
6 approvals for my blueprints from Yerkes. I have
7 permit applications all approved. And so I
8 proceeded on the good faith with full knowledge
9 of the Borough to proceed.

10 In May 8th, the Borough had a
11 meeting in the room next door that they invited
12 the public to, which I came to and introduced
13 myself, explained to everybody what I was doing.
14 Borough Council, which was listed on this
15 invitation, was there. And I think Ed Ridgeway
16 was there, Danny was there. And I explained what
17 I was doing, and they all congratulated me and
18 thought it would be a great thing. This is in
19 May.

20 So I proceed and continued
21 and kept working and putting this thing together,
22 and it came to the point where my niece was
23 selling her house. So she was moving on. I sold
24 my house. I had the money to buy her out. And
25 we were in November. It came down to the final

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2 times to take possession, ownership. The
3 Borough, which I still don't know how they did
4 it, but they put an offer in to my niece for
5 350,000, which was a lot more than I was buying
6 it for. I had three days to respond. I found
7 it. I got the \$200,000 and bought the property,
8 otherwise, I'd have to -- my nieces would have to
9 give me the hundred thousand that I had already
10 invested in the property and it would be a big
11 mess and I'd lose my gym totally. So I
12 proceeded.

13 At that time Marc Jonas
14 called my niece's lawyer and stated, asked, what
15 is going on? She said, well, I sold it to my
16 uncle. He said, okay. With that, we're going to
17 pursue eminent domain. My niece's lawyer
18 contacted me and says, you have to be made aware
19 this is what they plan on doing. I said, all
20 right, I'm still going to buy the property from
21 you. I have too much invested. I can't just let
22 it go. So I proceeded to buy it.

23 The week after that I saw the
24 notice in the *Main Line Times*. I assume almost
25 all of you have. And it states in there that

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2 they wanted to use it for a staging area and I
3 guess what else was it, parking, which was kind
4 of interesting to me at the time, because we've
5 been allowing the Borough to use it as a staging
6 area for the last twenty-some years and whatever
7 they wanted on those special days.

8 So I responded by contacting
9 Cheryl, and told her the story, and she published
10 it in the *Main Line Times*, and I'm assuming
11 that's where you guys might have gotten your
12 information, plus, I did an open letter to
13 Facebook, the *Main Line Times*, and to some other
14 outlets I used.

15 Then I got a letter, shortly
16 after that, from my attorney stating -- I'll just
17 read it. This is for historical purposes so
18 everybody who's been back and forth on the
19 internet and getting questions and no one has
20 contacted me. I put my phone number on there.
21 So if you ever wanted to, you could. It goes,
22 Dear Ken, I received a phone call December 29th,
23 from Marc Jonas, the Narberth Borough solicitor.
24 He asked you -- he asked that you contact the
25 Borough manager, Bill Martin. He said that the

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2 Borough is interested in leasing the property for
3 special events and would prefer to do that
4 instead of acquiring the property. He also said
5 the Borough wanted to make sure that the removal
6 of the gas tanks was done correctly. I told him
7 I would pass this information onto you. If
8 there's anything I can do to assist you, please
9 contact me.

10 Sincerely, Daniel S. Coval,
11 Esquire.

12 I was excited. I was very
13 happy. I thought the eminent domain thing was
14 put to bed.

15 I showed up last Wednesday
16 and thanked this Council. And to their surprise,
17 they knew nothing of the letter. They knew
18 nothing of this. So I'm back to square one.

19 Then I got a phone call from
20 Mr. Diaz and Mr. Wegbreit, and we had a pretty
21 interesting meeting last night, and I think we
22 had accomplished some ideas, and that's where we
23 stand today.

24 I still don't want to give up
25 my property, but I'm willing to lease the front.

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2 We can upgrade it together. We can make it a
3 nice look for the Borough. But I really don't
4 want to let go of my property. It's my
5 investment. I have now about \$500,000 of my own
6 money invested in it, and it's kind of hard. I
7 sold my other house, my other gym. I planned on
8 doing this.

9 So I find it a bit unfair,
10 since I had approvals for permits. You knew what
11 I was doing. It seems like one hand doesn't know
12 what the other one is doing. It's a little
13 upsetting to me. And I hope with your support we
14 can work out something with the Council and the
15 people of Narberth to make this so I can continue
16 to own my property and you guys can get what you
17 desire out of using the front for all your events
18 all the time.

19 THE PRESIDENT: Thank you,
20 Mr. Coil.

21 MR. COIL: Any questions?

22 **THE PRESIDENT:** Let me move on
23 next. That would be my call.

24 MR. COIL: Sorry.

25 **THE PRESIDENT:** That's okay.

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2 Next we'll move on to Stephen Gallagher.

3 Hi, Steve.

4 **MR. GALLAGHER:** Hi, Sam.

5 **THE PRESIDENT:** Can you give
6 your address for the court reporter?

7 **MR. GALLAGHER:** 213 North
8 Narberth Avenue.

9 **THE PRESIDENT:** Go ahead.

10 **MR. GALLAGHER:** My family has
11 been here since 1926. And I guess I pick up on
12 the internet, all that was just explained. And I
13 just have a deep feeling against Narberth getting
14 involved in eminent domain for something that's
15 not related to security and things like that like.
16 If the bridge had to move some properties because
17 we needed a new bridge, that would be a
18 reasonable-type thing.

19 I've gotten to the age where
20 I'm looking for Borough Council to help save
21 taxes, and, you know, that type of thing, and to
22 invest in something that might be an
23 environmental issue. I would leave that on the
24 property owner. I wouldn't want to get involved
25 in that in any way. This is great from last

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2 night, leasing for use or whatever. I've never
3 been told what makes this so valuable that we
4 should invest in the middle of Narberth. I'd
5 rather see you turning the lights off, you know,
6 at 6:00 o'clock at night instead of 8:00 o'clock
7 at night down at the playground to save some
8 money. Thanks for having me.

9 **THE PRESIDENT:** Thank you,
10 Steve. You're always welcomed.

11 Next up, Jeff Asay.

12 **MR. ASAY:** Jeff Asay,
13 Narberth, 133 Merion.

14 Probably a lot of you have
15 seen comments I have written on Facebook. I
16 write a lot, type a lot, probably too much. I
17 was hoping that we would get a chance to hear
18 what the proposed use of the property is and more
19 detail as some people had said would be presented
20 before our comment period, but apparently that's
21 not the case.

22 My comment to the Council is
23 that eminent domain is, in my mind, a last-ditch
24 effort for important things like bridges, for
25 things like putting together an interstate

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1
2 highway system. If our town was 50 percent real
3 estate not rented and we were a depressed town, I
4 could see doing private development and doing
5 something to try to revive the economy. I don't
6 see that here. I see a private citizen that is
7 trying to open a business. He seems to be doing
8 all the things that he should be doing. It's not
9 a derelict property with broken windows that's
10 falling apart. He's investing his own money. I
11 think he should be allowed to proceed without
12 interference from government. That's basically
13 the gist of it. Thanks for your time.

14 **THE PRESIDENT:** Thanks, Jeff.
15 Heidi Boise.

16 **MS. BOISE:** Yeah. I just want
17 to say I'm quite certain that Council has put a
18 lot of time and energy in this, and I value that
19 time and energy. And as somebody who's interested
20 in the fabric of Narberth -- also, I forgot to
21 say, I'm 306 Grayling Avenue, sorry.

22 I value the fabric of the
23 downtown. I think Station Circle and this
24 property together create an open space that is
25 invaluable. We have no other open space in

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2 Narberth, except if you go down to the
3 playground. We really could use a space in the
4 center of town that's really thought about in a
5 cohesive way and how it relates to pedestrian
6 traffic, the street fares that we have in
7 Narberth. I'm not sure what the gentleman who
8 owns the property is thinking about with regard
9 to the gym. I think a gym is a fine use for the
10 building and that the apron around it could be,
11 perhaps, redeveloped in some way and keep a small
12 building there, whether it's the building that's
13 there or something similar or reconfigured.

14 The site is oriented south,
15 so you get really nice sunlight. And it's really
16 just an opportunity that I hate to see missed if
17 the property were to be sold, if it were to be
18 developed. We're working on a formal Zoning Code
19 right now which addresses the kind of structures
20 that could be in the downtown. And I encourage
21 Borough Council to look at the formal Zoning Code
22 as it relates to this particular property and
23 imagine what could go there if it's not salvaged
24 or thought about this time on a larger scheme.

25 **THE PRESIDENT:** Just to

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2 comment briefly, I don't know that there's any
3 plans for the sale from the owner. I mean, that's
4 past. There is a new owner, Mr. Coil, who just
5 spoke.

6 **MS. BOISE:** I understand. I'm
7 just thinking down the road that part of the
8 bigger picture should be consideration for how the
9 property could be developed.

10 **THE PRESIDENT:** If down the
11 road, if it becomes available via private sale,
12 you might be in favor of it at that point?

13 **MS. BOISE:** I might be in
14 favor of keeping it open.

15 **THE PRESIDENT:** Of having the
16 Borough --

17 **MS. BOISE:** I'm very much in
18 favor for however it happens, that it be
19 maintained as open space.

20 **THE PRESIDENT:** Thank you.
21 Next up is I think it's Ken Krivitzky.

22 Ken, could you give us your
23 address?

24 **MR. KRIVITSKY:** 1 Woodside
25 Avenue, in Narberth.

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2 I want to go with what Jeff
3 said a moment ago. In that, it's very hard to
4 give comments without hearing the full picture of
5 what the Borough's use is.

6 I will say in general I'm for
7 eminent domain in extreme cases. Taking over a
8 property like this does not strike me as an
9 extreme case, but without hearing from Borough
10 Council what the vision is, it's very hard to
11 have that conversation. I tried to raise my hand
12 earlier to ask that question, to say more than
13 that.

14 **THE PRESIDENT:** We think there
15 will be more opportunities to hear Council and the
16 members of the community weigh in about the
17 various uses that are being considered. Part of
18 the reason, you know, for doing it this way is to
19 comply with legal requirements and the procedures
20 that we need to follow. And it is important that
21 we hear your input. We know, you know, everyone
22 wants to hear more information, and we think that
23 will be forthcoming.

24 Let me move on.

25 Mr. McGreevey, you have the letter here. Would

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2 you mind addressing us, and I'll make it a part
3 of the record?

4 **MR. McGREEVEY:** Rob McGreevey,
5 149 Merion Avenue. Do I need to read the letter?

6 **THE PRESIDENT:** Whatever you
7 want. If you would like to read it, that would
8 save me, or you can summarize the salient points
9 and then we can make it a part of the record.

10 **MR. McGREEVEY:** Well, I'd like
11 to speak to the value of this particular space
12 that strikes me as a once-in-a-lifetime
13 opportunity to create something of a public square
14 in the downtown by the train station. And there
15 may be various ways to get there. One possibility
16 could be eminent domain and one possibility could
17 be as suggested by the owner, some sort of
18 compromise.

19 But to my mind, I think it
20 was Heidi Boise that spoke to the fabric of the
21 Town, and I see -- I'm a historian, I should say,
22 of the US 20th Century, and I've seen eminent
23 domain used in ways that were not justified. But
24 in this instance, because we have the opportunity
25 to create a public space in the center that would

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2 adversely affect a single private owner, as much
3 as I empathize with the owner, it is justifiable.
4 To my mind, it benefits the public good. But I
5 would say it's very hard to speak to this without
6 a plan.

7

But I could imagine a green
8 space that could be a lively center of downtown
9 that could benefit the businesses throughout the
10 Commercial District, where we could have tables
11 and umbrellas in the summer, in the warmer
12 months, where people could eat their sandwiches
13 from McShea's take away or coffee from the cheese
14 shop or what-have-you. And I have seen this in
15 other towns and to me that's a public good that
16 could benefit the community, promote walk
17 ability, and create public spaces, which we
18 really surprisingly lack in this town.

19

So, in my letter, I basically
20 just give a couple examples of how eminent domain
21 has been used in ways that harmed hundreds of
22 families and destroyed entire neighborhoods. And
23 I think often that eminent domain gets a bad name
24 for that reason.

25

But in this particular

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2 instance, I would like to still see it on the
3 table and as a tool kit for the Borough Council
4 to determine the best way to proceed.

5 **THE PRESIDENT:** Thank you.
6 Georgette DuBois.

7 **MS. DuBOIS:** It's fine with me
8 if you read that.

9 **THE PRESIDENT:** Read what?

10 **MS. DuBOIS:** The letter --

11 **THE PRESIDENT:** What letter?

12 **MS. DuBOIS:** -- that I sent.

13 The E-mail that I sent asking that it be in the
14 public record.

15 **MR. MUDERICK:** I have it.

16 **MS. DuBOIS:** Okay. Do you
17 want to read it, Aaron?

18 **MR. MUDERICK:** Give me one
19 moment.

20 Skip ahead and I'll queue it
21 up.

22 **THE PRESIDENT:** Sure. Jim
23 Cornwell.

24 **MR. CORNWELL:** Jim Cornwell,
25 115 Wynnedale Road, Narberth.

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2 **THE PRESIDENT:** Jim, could we
3 also add for the record your position with the
4 Borough?

5 **MR. CORNWELL:** I am the
6 chairman of the Planning Commission.

7 **THE PRESIDENT:** Thank you.

8 **MR. CORNWELL:** But I speak
9 as -- I do not speak for the Planning Commission
10 as I make these remarks.

11 **THE PRESIDENT:** Thank you.

12 **MR. CORNWELL:** Please be clear
13 about that.

14 I appreciate all the
15 discussion about the fabric of the town, which is
16 very near and dear to my heart. We're on the
17 verge of having an ordinance in this town that
18 will vastly improve our approach to public
19 spaces, I think, as a result of no less than
20 eight years of effort on the part of a large
21 group of Narberth residents.

22 I would simply urge that if
23 Council proceeds with the concept of eminent
24 domain, that the language that is used to define
25 permitted uses be made broader than the words

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2 that I have read so far, namely, a place for
3 staging public events, a place for parking, that
4 it would be an error in my understanding of the
5 language that's been drafted. But I would urge
6 that there be a broader definition of what
7 constitutes the public good, because there a
8 number of ways of approaching what is the best
9 use for this property.

10 I do believe that this
11 gentleman who is proposing, who has built the gym
12 and is proposing to operate it has followed the
13 rules and deserves to operate his business.
14 That's the way I would feel were it mine based on
15 what I know is the history of this.

16 But if you choose to pursue
17 eminent domain, please make the definition as
18 broad as possible to encompass a variety of uses
19 that will remain as a group fine to be beneficial
20 for the town. Thank you.

21 **THE PRESIDENT:** Are you ready,
22 Aaron?

23 **MR. MUDERICK:** Georgette, if
24 this is not the right letter, let me know.

25 Dear Sam, et al,

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2 As requested, I am sending
3 this e-mail to the attention of Borough Council
4 President Sam Quinn.

5 In the interest of clarifying
6 the situation with the former gas station
7 properties, it would be helpful to have whatever
8 information can be made public available at the
9 meeting tonight. I realize you may already be
10 planning to do this. If not, I'm requesting that
11 all relevant public documents going back to
12 March 2014, regarding plans for the property, be
13 available for public viewing at the meeting,
14 including permits, correspondence, public
15 notices, and costs to the Borough thus far, i.e.,
16 an itemized accounting of payment to Borough
17 solicitor cost of public notices, et cetera.
18 Please include any other relevant documentation.
19 I also request that whatever you provide be
20 scanned and posted on the Borough website. I
21 look forward to seeing tonight's agenda and I am
22 hopeful that the meeting be well attended and
23 productive.

24 Regards.

25 Georgette DuBois, 111 Price

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2 Avenue.

3 **THE PRESIDENT:** Thank you.

4 Andy Harkenson.

5 **MR. HARKENSON:** Andy

6 Harkenson, 203 Wayne.

7 I think the issues that
8 concern me have already been put out in one way
9 or another, including the cost, including what
10 you would do with the property if it were taken.
11 I also am concerned about the use of eminent
12 domain without looking for other solutions. But
13 I think the one main thing I would be concerned
14 about ultimately is what is it going to cost the
15 Borough?

16 **THE PRESIDENT:** Thank you.

17 Kevin McCartney.

18 **MR. McCARTNEY:** Kevin

19 McCartney, 319 Grayling Avenue.

20 I'll make it short and sweet.

21 I know looking at this issue -- first of all, I'm
22 a landscape architect who does a lot of planning
23 for green space.

24 If it was my property and you
25 were trying to take it from me, I would be very

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2 upset, especially if there were other avenues to
3 pursue. I don't think this is the right way.
4 Although I love green space, I just don't agree
5 with eminent domain being used. Thank you.

6 **THE PRESIDENT:** Thank you.

7 I will skip Kimberly.

8 Sean Sexton, 407.

9 Yes, Sean.

10 **MR. SEXTON:** Sean Sexton, 407
11 Dudley Avenue.

12 I'd simply like to say that I
13 strongly oppose the use of eminent domain in this
14 situation, especially considering that there's
15 not a specific plan that you presented. I think
16 it's a little bit strange that you've moved to
17 threaten a property owner with eminent domain.
18 You know, I see it as a threat to private
19 property. And if I were him, if I were running a
20 business and if he were pushing me around to sell
21 property and threatening eminent domain, I would
22 be really, really upset. So I take issue with
23 that.

24 If it's a parking thing, I
25 don't think parking is really that big of a

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2 problem in the downtown Borough. I don't see
3 that as an issue. You know, it would be nice to
4 have a beautiful public area, but he owns the
5 property. So unless he's willing to sell, I
6 don't really see what the argument is. He has
7 this property.

8 The cost I have an issue
9 with. I don't know what the dollar amount would
10 be, but that's taxpayer money. And it's not
11 going to be a revenue-generating property for the
12 Borough. It's a pure capital.

13 Now, you can argue it's an
14 investment and over time it will yield more
15 taxes, et cetera, but it's not a
16 revenue-generating property for the Borough. So
17 the fact that you don't have a proposal as to
18 what exactly it is and that you're threatening
19 eminent domain, I have a big issue with, and
20 that's all I wanted to share.

21 **THE PRESIDENT:** Thank you.

22 I'll take a brief moment to
23 summarize the one letter from a person who wanted
24 to remain anonymous.

25 **MS. NEFF:** It was me.

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2 **THE PRESIDENT:** What's your
3 address?

4 **MS. NEFF:** I'm at 407 Dudley,
5 and this is my husband who just spoke. So 407
6 Dudley is a house divided, because of what he
7 said, and the letter says what it says. So if you
8 want to summarize or read the whole thing,
9 whatever.

10 **THE PRESIDENT:** I'll make it a
11 part of the record.

12 **MR. WEGBREIT:** Is she in
13 support?

14 **MR. DIAZ:** She represented she
15 has a different viewpoint.

16 **MR. MUDERICK:** Why don't you
17 read it?

18 **THE PRESIDENT:** My opinion as
19 a concerned resident and someone with experience
20 working in economic development with downtown
21 districts is as follows: A gym is simply not a
22 business that is going to benefit the Commercial
23 District, especially a gym of this size. That
24 being said, I do not agree with the method of
25 simply taking the property against the will of the

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1
2 current owners.

3 If the Borough has an
4 interest in the property and plans for
5 redevelopment of that site, either as a public
6 park or open space, I'm not sure what the plan is
7 currently. If the Borough has such a plan that
8 is overwhelmingly a public benefit, then and only
9 then do I agree with the seizure of the property.

10 To take the property to
11 simply keep the footprint as is and use it to set
12 up tables for public events is not a good enough
13 reason. Events are not a sustainable or
14 effective method for driving foot traffic in our
15 town or a reason to take private property from
16 the owner.

17 With the circumstances being
18 what they are, I would be interested in seeing
19 the long-term plans from the Borough for the site
20 before I can fully support them in taking over
21 the property.

22 If there is, in fact, a
23 lovely open space that can enhance our town more
24 so than a personal training gym in an old gas
25 station, then I am willing to support that

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2 initiative.

3 Hopefully, the property
4 owners can recognize the value of the property to
5 the Borough and come to a compromise to sell
6 without the use of eminent domain being enacted.

7 I think this scenario brings
8 attention to the fact that the Borough Business
9 Association and downtown business owners need to
10 work better together to develop a long-term
11 economic development plan for the District.
12 Property owners should be vocal, active
13 participants and partners with the business
14 owners and visionaries in this town to create a
15 thriving downtown that benefits everyone.

16 I prefer to remain anonymous.

17 Rich, would you like to
18 summarize and address?

19 **MR. MYERS:** I would.

20 **THE PRESIDENT:** This is Rich
21 Myers. I can tell you a very qualified and worthy
22 adversary in the legal arena.

23 **MR. MYERS:** You're very kind.

24 **THE PRESIDENT:** Your address,
25 Jim. I'm sorry.

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2 **MR. MYERS:** 111 Elmwood
3 Avenue.

4 I see that the north side is
5 very well represented. Where's the south side?

6 The south side is very well
7 represented.

8 Where's the north side?

9 Okay.

10 I do agree that eminent
11 domain should be the last resort here. I
12 encourage you to meet with the owner and see what
13 you can work out.

14 I will tell you, I looked at
15 this, I looked at the case law with regard to
16 eminent domain. With all due respect to Mr.
17 Jonas, whatever advice that you've gotten, you
18 have not done it right. I urge you to withdrawal
19 the Ordinance until there is a specific plan,
20 which, frankly, I think is required these days,
21 and then have another meeting like this, if it
22 comes to that. And I'm hoping that it won't come
23 to that.

24 I don't know Mr. Coil. This
25 is the first time I've seen him. But the fact

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2 that you're able to meet with him and that he's
3 able to meet with you suggests to me that you're
4 going to be able to work out something long term
5 without eminent domain and hopefully we can put
6 this all behind us.

7 **THE PRESIDENT:** I appreciate
8 that, and I'll let him off the hook on the
9 specific plan and take the hit for everyone on
10 that.

11 **MR. MYERS:** Okay. That's
12 fine.

13 **THE PRESIDENT:** I've been here
14 nine years. It's the first time I've seen you.
15 Thanks for coming.

16 **MR. MYERS:** Well, my children
17 have now left the house.

18 **THE PRESIDENT:** Seriously,
19 thanks for your letter.

20 **MR. MYERS:** You're welcome.

21 **THE PRESIDENT:** Next up,
22 Marlene Richmond.

23 **MS. RICHMOND:** I'm 219 --

24 **THE PRESIDENT:** Just before
25 you speak, as a newly sworn-in member, alternate

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2 member of the Zoning Hearing Board, if you were to
3 ever have to deal with this issue, you would have
4 to recuse yourself. With that being said, you're
5 free to speak.

6 **MS. RICHMOND:** I'm going to
7 not speak. Thanks.

8 **THE PRESIDENT:** Next up, we
9 have David Pinski. Please give us your address.

10 **MR. PINSKI:** David Pinski, 126
11 Merion Avenue.

12 And I want to preface my
13 comment by saying, I use to wonder why the top of
14 the Borough newsletter, it said do not believe in
15 roomers or something to that effect. It just
16 seems like all of us or at least the people on
17 this side of the fence are operating under a
18 certain amount of lack of information. So let
19 me -- I'm going to speak in just generalities
20 about the issue.

21 I would love to see more
22 public space in downtown Narberth. I would hope
23 that eminent domain is a last resort, but I think
24 it is a tool at the disposal of Borough Council.
25 I would hope all the parties can work out. It's

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2 not clear to me that Borough Council is after the
3 property itself, but, perhaps, the land next to
4 it. And I would hope if that's the case, that
5 something could be worked that works well with
6 all the parties.

7 I would ask, though, at
8 minimum, the parking space in downtown Narberth
9 is limited. It's not a gas station where we can
10 at least get the curbs back so we can at least
11 have some parking on the street. That's my only
12 request, and that as a plan does come forward,
13 there's an actual period of comment when us
14 community members can actually comment on an
15 actual plan prior to whatever it is that you want
16 to be implemented. Thank you.

17 **THE PRESIDENT:** And that's the
18 common theme. Everyone in this room, I think,
19 recognizes the need and certainly everyone that
20 has spoken so far with more information coming
21 from this side of the table and the public domain,
22 and I certainly recognize that.

23 With that said, let me go to
24 my second grade classmate, Pat Clark. Is he
25 still here?

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2 **MR. CLARK:** Yes.

3 **THE PRESIDENT:** Hi, Pat.

4 **MR. CLARK:** Hi, Sam.

5 **THE PRESIDENT:** Give your
6 address for the record.

7 **MR. CLARK:** 6 Wynndale Circle.

8 And much of what I was going
9 to say was mirrored by Sean. So that was a lot
10 of my speech.

11 The only other thing I would
12 like to say is we could go through the room and
13 everyone might have different ideas as to what
14 you want to do with this property, but we have
15 property rights. And I'm just a strong believer
16 that the owner has a right to decide, as long as
17 it's legal, it's within the zoning. He's the guy
18 that bought it, he's paying the taxes, and I
19 think he has the right to decide how he wants to
20 use his property. I just don't think -- there is
21 a time when eminent domain, I believe, is the
22 proper use. But for a couple parking spaces and
23 for staging of events when I think there, you
24 know, if this owner was not willing to do it, I'm
25 sure there are other people in town who are

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1
2 willing to cooperate, it's kind of always been
3 the way in Narberth. So I think there's always
4 going to be a way to find somebody who will
5 cooperate, who will supply the space. Narberth
6 has thrived forever on volunteerism. And, boy,
7 what a better way to go than going in and
8 aggressively taking away somebody's property. So
9 that's my first part.

10 The second part really is the
11 expense. It was reported the purchase price was
12 \$350,000. We got money put into the building.
13 We've probably got a legal suit that we're going
14 to have to pay for to take the building, if we
15 win. But then, if we win, we've taken the
16 property off the tax shaw. A little bit over two
17 thousand dollars a year is paid to the Borough
18 alone, at least part of what I have said three,
19 and then there's money paid to the county, money
20 paid to the school district. That's now gone.
21 So I think that's got to be taken into
22 consideration.

23 And the final thing is, in
24 regards to how you use this property, hey, it
25 would be beautiful to have an open space there,

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2 and a place to sit and a place to eat a sandwich.
3 But by the same token, I think every business in
4 Narberth feeds off the other businesses in
5 Narberth.

6 We're not that big. I use to
7 work in Narberth. Our office is not here any
8 more. But you take that one business away and it
9 affects the other businesses. We were Clark and
10 Madara Real Estate. When Clark and Madara Real
11 Estate left, that was twenty people who didn't
12 eat at the deli or pizza shop or, you know,
13 whatever, every day. Now, another business went
14 in there. But if you take one away, you're
15 taking a lot away from everybody else, and I
16 think that has to be taken into account, too.

17 **THE PRESIDENT:** Thank you,
18 Pat. There was one person on the list that I
19 think is actually, as the mayor calls it, a
20 "Nearb," and it's the last person.

21 Is Council all right if that
22 person --

23 **MR. MUDERICK:** Sure.

24 **MR. WEGBREIT:** Sure.

25 **THE PRESIDENT:** Appears to be

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2 one. Jonathan Felix. Is he here?

3 **MR. FELIX:** Sprague Road.

4 **THE PRESIDENT:** Sprague Road I
5 don't think is in the Borough of Narberth. We are
6 giving you a courtesy.

7 **MR. FELIX:** Jonathan Felix.
8 I've personally known Kenny. I know Kenny and
9 know his brother Ken. And he's a very nice
10 person, a serious person, I trained with him
11 before, and he would be an asset to the Borough.

12 And my understanding of
13 eminent domain is when a municipality uses it for
14 something like a school or a road or for a court
15 house. And I just believe that this is the wrong
16 use. I guess if I would've had a question, I
17 would ask if this has ever been done before in
18 Narberth? If eminent domain has ever been done
19 before?

20 **THE PRESIDENT:** It's not a
21 question and answer session. I think the mayor
22 can --

23 **THE MAYOR:** I can address it.
24 We're going to have a town hall meeting on
25 Wednesday, the 21st. We're going to talk about

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2 Narberth, it's vision, public space, open space,
3 piazzas, everything, with regard to those things.

4 **MR. FELIX:** I was also going
5 to mention what you said about the town hall
6 meeting because if the people have a vision of
7 what the town is going to be like in the future, I
8 don't think they want to envision of eminent
9 domain used for taking people's properties away.

10 **THE MAYOR:** We'll discuss
11 that.

12 **THE PRESIDENT:** Anyone else
13 that would like to address Council on the matter
14 regarding 100 Forrest Avenue?

15 Yes. State your name and
16 address.

17 **MS. LONSDORF:** Deborah
18 Lonsdorf, 128 Chestnut Avenue.

19 I just was curious if this
20 property was for sale before why the Borough
21 didn't, you know, move at that point? But I
22 guess you're really not answering questions right
23 now?

24 **THE PRESIDENT:** No, we're not.

25 **MS. LONSDORF:** So maybe I

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2 can't do that. But I like the idea of the public
3 space. I'm concerned about property owners'
4 rights, and I would love to see it if we have the
5 public space and he could have his business or
6 maybe have it somewhere else. But I was just
7 confused about why we didn't move on this earlier.
8 But I realized maybe we'll talk about this on
9 Wednesday. That's my comment.

10 **THE PRESIDENT:** Anybody else
11 like to speak to Council?

12 Go ahead.

13 **MS. DuBOIS:** Georgette DuBois,
14 111 Price Avenue.

15 Aaron, thank you for reading
16 my letter.

17 Thank you, all. I know
18 you've spent a lot of time and effort on all of
19 this, and I really appreciate that there is this
20 many people here this evening. I think it
21 matters a lot that we be here in person to be
22 able to at least say something if not have any
23 questions answered because apparently it is the
24 case.

25 And my overarching concern

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2 with all this, so I'm saying this as a private
3 citizen, not as the president of Civic
4 Association, is the lack of information.
5 Obviously, it's echoed over and over here. And
6 I've heard the expression legal constraints over
7 and over. I heard it last week at the meeting.
8 And there are things that could have been made
9 public all along, and instead what we've had is
10 no information and a tremendous amount of
11 speculation on Facebook.

12 People speculate when they
13 have no information, and so, that's what's gone
14 on. And on Facebook, at times, there have been
15 things posted like the actual ad that was run
16 that uses the word "parking," and that was posted
17 by someone other than anybody from the Borough
18 government, so people got to see that I think in
19 an unorthodox way.

20 So my understanding is that
21 before anything about eminent domain would be put
22 out in any municipality, it would be necessary
23 for there to be a specific plan. And my legal
24 understanding is that's what would have to
25 happen, and none of that did. And I think the

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2 way this has been handled, unfortunately, is what
3 has led to lots of misunderstanding and upset and
4 back and forth.

5 So I think that going forward
6 it's critically important that public information
7 be posted on the Borough website in a timely
8 fashion, such as minutes of meetings, which as I
9 mentioned at the last meeting, when I was
10 desperately trying to get information about what
11 was going on and planned to come to a meeting, I
12 made a point of looking at the website to read
13 the previous minutes. And as of last week, the
14 most recent minutes posted on the website were
15 from August and September. So if anybody also
16 made that attempt, there was nothing -- people
17 are nodding their heads -- there to learn
18 anything from.

19 And I have probably ten or
20 twelve or more years ago been in a Borough
21 Council meeting where I raised the issue of the
22 website. I heard other people raise it. And
23 year after year after year, it's just as it has
24 been. And this is a town, this is a municipality
25 where there are people who really care, who are

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2 passionately interested in what's going on. We
3 are in the 21st industry at a time when all of
4 these things could be readily made public and
5 should be so that people like us would have
6 information rather than, as Jeff mentioned,
7 roomers flying around.

8 So I'm calling upon Council
9 Borough government, everyone involved, to address
10 this issue. And you read my statement about the
11 documents that we'd like it to be made public.
12 So I know I can't ask a question, but I will
13 expect to hear at some point soon how that public
14 information will be made available, and I do not
15 mean a piece of paper in Borough Hall where
16 people have to take time off from work during the
17 day to go in and ask to see a piece of paper.
18 Again, it's the 21st century and those things
19 should be readily available, not available with
20 great difficulty. And I think a lot of people
21 here would really appreciate having that sort of
22 thing available. Thank you.

23 **THE PRESIDENT:** Thank you.

24 Is there anyone else who
25 would like to address Council on this issue?

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2 (No response.)

3 **THE PRESIDENT:** Does anyone
4 have a motion?

5 **MR. DIAZ:** I move to postpone
6 consideration of the Penny Ordinance, which would
7 authorize the acquisition of the property at 100
8 Forrest Avenue.

9 **THE PRESIDENT:** Is there a
10 second?

11 **MR. WEISBORD:** I second that.

12 **THE PRESIDENT:** Discussion?

13 **MR. WEGBREIT:** No. I just
14 want clarity when we say "postponed, what, you
15 know, whether it's postponed, it's not postponed
16 till a certain date, it's just postponed
17 indefinitely, I would suspect; is that correct?

18 **MR. JONAS:** It would be
19 postponed until you readvertise and decide to move
20 forward on it. So you would need another action,
21 another public meeting to sort of take it back
22 upon the table and move forward with it.

23 **MR. WEGBREIT:** The advertising
24 requirements be based on my concerns to make sure
25 that everybody feels comfortable that there's a

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2 public notice with plenty of time for them to hear
3 any further discussions on it. What would the
4 advertising requirement be?

5 **MR. JONAS:** It requires
6 advertising once at least seven days before the
7 meeting, which would be considered.

8 **THE PRESIDENT:** Councilman
9 Weisbord, do you have any questions or comments?

10 **MR. WEISBORD:** I'm just
11 absorbing what that means. So basically we could
12 restart this with seven days' public notice?

13 **MR. JONAS:** Public notice,
14 yes.

15 **MR. WEISBORD:** Thank you. I
16 have nothing to add.

17 **THE PRESIDENT:** Councilman
18 Diaz.

19 **MR. DIAZ:** Yeah. So,
20 colleagues, I made the motion based on, you know,
21 Mr. Coil intimated, I thought we opened a
22 productive dialogue yesterday with you. I'd
23 anticipate sitting back down again with you,
24 Mr. Wegbreit, and presumably your wife to continue
25 that dialogue. So I thought it was prudent at

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2 this junction to move to postpone to see how that
3 resolves and then from that, see what further
4 actions are necessary.

5 **THE PRESIDENT:** Vice-president
6 Muderick, do you have anything that you want to
7 say at this time?

8 **MR. MUDERICK:** Yeah. I just
9 would like to say that I think that it's very
10 clear there have been a lot of communication
11 issues between Council and the public on this
12 issue, on our plan, on our vision, why we're doing
13 what we're doing. And your message to us that the
14 vacuum of information creates a lot of speculation
15 and anxiety and ill-will is definitely received
16 and will be discussed further.

17 **THE PRESIDENT:** Councilman
18 Silio.

19 **MR. SILIO:** The issue clearly
20 merits, A, better public information, B, more
21 opportunity for public comment. If this is one
22 meeting, we should have a couple more and
23 understand everybody's position better. And, C,
24 what Richard said, some real dialogue with the
25 property owner. So I think postponing is

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2 definitely the right thing to do at this time.

3 **THE PRESIDENT:** Councilwoman
4 Tevlin-Moffat, is there anything you would like to
5 add?

6 **MS. TEVLIN-MOFFAT:** Thank you,
7 President Quinn.

8 Thank you all for coming. I
9 appreciate that you've all taken the time,
10 because Georgette is right, it does take some
11 time. But this is your government, it's your
12 town, and your participation is not just needed,
13 it is required. It's more than election day.
14 It's more than picking up a piece of paper. It's
15 participating and holding your government
16 accountable. We've heard your message. We
17 appreciate the time that you put in, but we are
18 working for a greater solution. Guaranteed, we
19 are working for a greater solution. Thank you.

20 **THE PRESIDENT:** Why don't we
21 just add to the mayor's comments earlier about
22 having the public meeting. It's clear that before
23 this action should be enacted upon, that, you
24 know, better communication and better input from
25 the public as to what they want to do and what

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2 they value, as well as our own vision gets
3 communicated out to the public, and there's
4 meaningful notice and meaningful opportunity to
5 weigh in, you know, to a person tonight, everyone.
6 The common theme whether you express support for
7 the idea or not was that, you know, how can we
8 weigh in on something that we know nothing about.
9 So I think that is the reason for the motion, and
10 I thank everyone for coming.

11 **THE MAYOR:** Sam, I'd like to
12 thank Council and the Coils for having a dialogue.
13 I'm very encouraged. I think it's something to
14 move forward with, and I'm very encourage about
15 what's been going on, and I would like to see some
16 progress. Thank you so much.

17 **THE PRESIDENT:** All in favor
18 of the motion, please signify by saying aye?

19 **MR. MUDERICK:** Aye.

20 **MR. WEGBREIT:** Aye.

21 **MR. WEISBORD:** Aye.

22 **MR. SILIO:** Aye.

23 **MR. DIAZ:** Aye.

24 **MS. TEVLIN-MOFFAT:** Aye.

25 **THE PRESIDENT:** Aye.

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2 Any opposed?

3 (No response.)

4 **THE PRESIDENT:** Motion
5 carries, and the action is postponed.

6 Now, we're going to go along
7 back to agenda Item No. 6, the reports of the
8 standing committees, and I'll turn the floor over
9 to Councilman Silio, finance.

10 **MR. SILIO:** Sure.

11 **THE PRESIDENT:** We'll give
12 everyone a few minutes.

13 (Recess.)

14 **THE PRESIDENT:** I'd like to
15 call the meeting back to order and go to
16 Councilman Silio, Finance Committee.

17 **MR. SILIO:** For Council and
18 members of the public, we usually have a schedule
19 of bills and monthly report from the Finance
20 Committee. But because we just went through our
21 budget cycle and recessed our December meeting and
22 had a follow-up meeting to approve the budget and
23 review bills on December 30th, what we do is we
24 don't have a report for January. We have
25 essentially two at the next Council meeting in

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2 February, so that part of the agenda goes by very
3 quickly.

4 As for the January meeting
5 schedule, we have a committee meeting tomorrow
6 morning here in the building from 8:30 to 9:30.
7 The primary agenda item for which is to set
8 priorities and work plan for some of the office
9 IT communications and other priorities for the
10 year, especially in light of our new hire.

11 **MR. WEGBREIT:** No, no, no.
12 Don't steal my thunder.

13 **MR. SILIO:** But I'll defer
14 that to there.

15 But in any case, we've got a
16 lot of work to do in the office, especially given
17 that we are, as will be announced shortly, hiring
18 a new assistant Borough manager. We want to make
19 sure that it's a smooth onboard process. So
20 that's it. So our January Finance Committee
21 meeting is tomorrow, in the morning.

22 **THE PRESIDENT:** Aaron, with
23 your permission, I was going to -- is there
24 anything else for finance, anybody have any
25 questions?

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2 (No response.)

3 **THE PRESIDENT:** Tom, you good?

4 **THE MAYOR:** I'm good.

5 **THE PRESIDENT:** All right.

6 Aaron, I was going move up succession planning and
7 give the floor to Councilman Wegbreit.

8 **MR. MUDERICK:** Go ahead. Roll
9 it.

10 **MR. WEGBREIT:** For those of
11 you who haven't been tracking it, I think everyone
12 in this room has a sense that we've spent well
13 over a year with the succession plan, first, to
14 see what we wanted to do and then moving in to
15 recruiting a professional recruiter where we had
16 over sixty applications screened down to ten
17 candidates, screened down to five
18 interviews, screened down to two finalists, and
19 the quality and caliber of people that wanted to
20 work in Narberth in this assistant manager role
21 was very, very impressive.

22 The Council unanimously came
23 to the conclusion that the next Borough manager
24 would be Sean Metrick, who happens to be standing
25 with us right now, and he will be starting next

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2 week.

3 Sean, if you could just stand
4 up.

5 **MR. METRICK:** (Complies.)

6 **MR. WEGBREIT:** Sean, before
7 you get to say hello to everybody, I just want to
8 tell you that all Borough meetings are just like
9 tonight.

10 **MR. METRICK:** Great. It's
11 ironic because I've been dating Narberth Borough
12 for three years now, and it was almost three years
13 to the date where I came to my first planning
14 commission meeting after coming back from a super
15 cold ski trip in the Poconos with a bunch of
16 families, and everyone in the room clapped for me
17 then, and I said I haven't done anything and
18 haven't done anything yet. So if you've seen me
19 around town, those of you who don't know me, I've
20 been managing the Form-base Code Zone Project. If
21 you've seen me at Planning Commission meetings or
22 wandering around your neighborhood with a camera
23 taking photos of your home, that was me.

24 I'm really excited to get
25 started here at the Borough, and I can't wait for

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2 next week to get here, although I'm really
3 enjoying my week off between the two jobs. So
4 thank you all for inviting me and welcoming me
5 here.

6 **THE PRESIDENT:** Thank you,
7 Sean. Marc Jonas would like to say a couple
8 words.

9 **MR. JONAS:** I just want to say
10 something. December 31 I stepped down as chair of
11 the board of the Montgomery County Planning
12 Commission. And from a board perspective, I had
13 the opportunity to know and see Sean's work. The
14 Borough is one lucky municipality to have Sean
15 onboard.

16 **THE PRESIDENT:** We look
17 forward to you starting.

18 **MR. CORNWELL:** I would like to
19 comment that Sean has done an excellent job of
20 shepherding the development of this new code for
21 the last several years. He's produced -- those of
22 you who have received a copy or shortly will, he's
23 produced a terrific document and kept us moving in
24 a positive direction for many, many meetings in
25 this room. So I think you made the right choice.

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2 **THE PRESIDENT:** Council
3 Wegbreit, did you want to set a meeting for
4 committee?

5 **MR. WEGBREIT:** No. We decided
6 to --

7 **THE PRESIDENT:** You said
8 February.

9 **MR. WEGBREIT:** Yeah. Wait
10 till February, let Sean get in, and then start to
11 see.

12 **THE PRESIDENT:** All right.
13 Public safety, Vice-president Muderick.

14 **MR. MUDERICK:** As was
15 previously said, I believe we have an agreement in
16 principle with the Lower Merion FOP regarding the
17 Narberth Police contract and we'll let the
18 attorneys dot the I's and cross the T's.
19 Hopefully, we'll have something for Council at our
20 February Council meeting for action.

21 We've also been working with
22 the mayor regarding the new traffic left-turn
23 restrictions on Iona and on Hampton Avenues, and
24 we will see how those temporary restrictions
25 change the traffic flow and improve safety, make

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2 sure that it doesn't decrease the safety
3 substantially in other areas and make
4 recommendations to Council at some future date.
5 Thank you.

6 **THE MAYOR:** Initial reports
7 are encouraging. So we'll still need to study it
8 some more, but it's encouraging.

9 **MR. MUDERICK:** I will submit
10 the report of the police and the fire company for
11 public inspection.

12 Mr. Martin, do we have a fire
13 marshal report this month?

14 **MR. MARTIN:** We do not.

15 **MR. MUDERICK:** Thank you.

16 **THE PRESIDENT:** I'll ask that
17 police and fire report be accepted and submitted
18 and be made available to public and Council for
19 review.

20 Anybody have any questions
21 for Vice President Muderick?

22 (No response.)

23 **THE PRESIDENT:** Next up,
24 public works. Councilman Wegbreit.

25 **MR. WEGBREIT:** First, I'll

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2 submit the monthly report. It was actually
3 submitted at the December 30th meeting. At that
4 point there was no snow removal, so we did our job
5 successfully for 2014. We are going to have
6 expenses that paid by liquid fuels starting this
7 month.

8 The second thing is Christmas
9 trees. There was some chatter on their Facebook
10 about Christmas trees not being picked up.
11 Normally, it occurs the week that's on the
12 calendar. This is our trash hauler's first year
13 of doing this. It's also a change in where
14 they're bringing these trees to. So tree pick-up
15 will continue throughout this week. Ideally it
16 will be done by Thursday, but if I'm correct, it
17 should be done by the end of week and apologies
18 to anybody whose Christmas tree is out there
19 getting cold. It's in its natural habitat one
20 extra week.

21 The Public Works Committee is
22 overseeing the bridge project, which will be
23 happening or should be happening, nothing is will
24 until they start. One of the big aspects of the
25 bridge project is the public art that will be

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1
2 going on the bridge. This is a bridge that we
3 expect to be in place for 50 to 200 years. We've
4 spent a lot of money, effort, and thought on the
5 design of the bridge. And the last, one of the
6 key touches is two panel areas that we have in
7 place for public art. Over the past few months a
8 group of community members who have expertise in
9 this area have been meeting and advising us,
10 they're not a committee, but they're just one
11 more advisory aspect that this town offers.

12 The one thing that came out
13 of that is that we do want to have a public art
14 consultant, somebody who does this
15 professionally, oversee the process, because
16 there will be a call for artists and there will
17 be a longer, more delicate issue. There could be
18 some reasonable money spent on the public art.

19 That said, they went through
20 and gave us some suggestions. All the arrows
21 pointed back to a Narberth-based person who has
22 got international claim in this space. And so
23 this evening, I don't know if we need to do this
24 by resolution or just mention it, is we would
25 like the Borough to engage the services of Todd

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2 Brasi for public art on the Narberth bridge
3 project at an hourly rate that is not to exceed a
4 total expense of \$5,000 for the project. The
5 hourly rate is much less than that, but the total
6 hours more spent -- the end cap will not be more
7 than \$5,000.

8 Dennis, on the other hand,
9 makes \$5,000 an hour, so we couldn't hire him.

10 Do we need to do anything
11 process-wise or just part of the administrative
12 costs?

13 **MR. MARTIN:** We will do that.

14 A motion could be placed on the floor.

15 **MR. JONAS:** Yes, you need a
16 motion.

17 **MR. WEGBREIT:** Should we do
18 that now?

19 **THE PRESIDENT:** Let's wait
20 till we get to resolutions and motions.

21 **MR. WEGBREIT:** So we'll add
22 that. Thank you.

23 The Public Works Committee
24 was scheduled for Wednesday, January 21st. We
25 are going to change that. I don't have a new

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2 date as of today. I'll try to get that together
3 with committee members because the mayor is going
4 to steal the show with his conversation on the
5 21st, which is the same night as our public works
6 meeting.

7 That's okay, Tom. It's for
8 the greater good.

9 And that's all I have. Is
10 there anything else from the committee or anyone
11 else?

12 (No response.)

13 **THE PRESIDENT:** Tom, do you
14 have any questions?

15 **THE MAYOR:** No, I'm fine.

16 **THE PRESIDENT:** Property.

17 **MR. DIAZ:** Thank you, Mr.
18 President.

19 The members of the Property
20 Committee would like to report the following
21 activities for the month of December 2014: The
22 members of Borough Council, on a recommendation
23 from the committee, awarded the contract for the
24 201 Sabine elevator project to FW Houlder
25 Incorporated. The members of the highway crew

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2 completed the winterization of the park areas.
3 The field and property user's meeting has been
4 scheduled for Monday, January 26th, 2015, at 7:30
5 p.m.

6 As a committee, we will be
7 following the mayor's town hall on the 21st and
8 convening at 8:30 p.m. here. Agenda to be
9 determined. But in terms of our yearly agenda
10 for the committee, we're going to be looking
11 heavily at open spaces this year and following
12 the 201 Sabine elevator project clearly to its
13 completion. That's all I have for this month.

14 **THE PRESIDENT:** Do you have a
15 report to pass up?

16 **MR. DIAZ:** I do.

17 **THE PRESIDENT:** I would ask
18 that the report of Public Works Committee be
19 accepted, submitted, and made available to public
20 and Council, as well as the report on Property
21 Committee.

22 Next up, building and zoning.
23 Councilman Weisbord.

24 **MR. WEISBORD:** Thank you, Mr.
25 President.

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2 The Building and Zoning
3 Committee has a report. It's actually our final
4 report for 2014. I don't usually read these
5 numbers, but for the government geeks and
6 observers who are out here, it may be interesting
7 to you that people filed permits for almost a
8 million dollars' worth of construction within the
9 Borough during 2014. The permit -- that
10 generates permit revenues of almost \$140,000,
11 over 149 jobs that were completed, and 384
12 inspections. Raise your hand if that was
13 interesting.

14 I'll give that to you to make
15 available to Council and the public.

16 **THE AUDIENCE:** Did you say a
17 million dollars of permits or a million dollars
18 of --

19 **MR. WEISBORD:** A million
20 dollars of construction. Estimated cost of
21 construction. The permit revenues were 136,000.

22 The Building and Zoning
23 Committee will have three -- we have
24 recommendation that Council approve three
25 subdivisions, which are property owners growing

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2 new lines on three separate lots within the
3 Borough. These are all being done by rights,
4 according to the SLDO Subdivision and Land Use
5 Ordinance, and the Planning Commission has
6 already reviewed these and made their
7 recommendation to the Committee.

8 We will also have a fourth
9 motion later in the meeting to schedule hearings
10 on two Ordinances related to a farm market use
11 that will be allowed in a private parking lot in
12 the Station Overlay area. This gives any entity
13 an opportunity to file permits to use a private
14 parking lot, for it to run a farmer's market.
15 And it's a fairly straightforward proposition
16 that the Building and Zoning Committee has
17 reviewed. It's now in the hands of the Planning
18 Commission.

19 The Planning Commission, at
20 the end of 2014 or actually just, yeah, at the
21 end of 2014, finally, after many years of work
22 completed, eight years of work. It started
23 actually with the review of the existing Code --
24 Heidi Boise is in the room, Jim Cornwell is in
25 the room, I was there, Bill Martin -- and we read

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2 the Code word for word, and we looked at what
3 would improve the Code, and that began a
4 conversation that is now concluded by the
5 Planning Commission last month in the form of a
6 document that's called a Form-based Code, which
7 Sean Metrick facilitated the production of
8 through the Montgomery County Planning
9 Commission. It's now in the hands of Council,
10 and I'll spare you some of the details, but
11 basically will create a plan to have a public
12 roll out in partnership with the Business
13 Association, Civic Association, and the
14 committee, I think also the mayor as well. So
15 we'll invite people to come for presentation by
16 Planning Commission. Jim Cornwell is the chair.
17 And they'll tell us about all the work they've
18 been doing for the past three years, and it's an
19 opportunity for the public to ask questions about
20 that proposed ordinance.

21 So we have meeting date of
22 the 26th of this month, at 7:30. We may need to
23 reschedule that. In any case, that's our
24 scheduled plan for now and we will be discussing
25 this roll out of the Form-based Code at that

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2 time. Does any committee members have anything
3 to add?

4 **MR. WEGBREIT:** On farm market,
5 I saw some chatter that, you know, people -- we
6 have the new lapse farm market. I don't know what
7 it's officially called. That, again, this is
8 not -- the Farm Market Ordinance is not really
9 aligned with that lapse farm market concept. It's
10 really about local producers. People are more
11 familiar with farm market in Bryn Mawr, Clark
12 Park, in Philadelphia, where you've got farmers
13 that are actually producing these items coming in,
14 multiple farmers. And I think it's, you know
15 assuming everything moves forward with it, it's
16 one of those things we're going to wake up and
17 say, wow, this is so nice to have in this town.

18 **THE PRESIDENT:** And that will
19 be good at the public meeting next month.

20 **MR. WEGBREIT:** Yeah. I'm
21 explaining it to people, because, again, we just
22 heard from quite a few residents that we've got a
23 communication issue up here. So if I could
24 elaborate for a minute about something that
25 everybody likes or might like or want to

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2 understand better, it doesn't harm us.

3 **THE PRESIDENT:** That's fine.

4 I'm just reminding you there was a public meeting.

5 We don't want people to not attend the public
6 meeting for that purpose.

7 **MR. WEGBREIT:** They might. It
8 will give us an opportunity to say it to them
9 again. So, anyhow. So I did want to let people
10 know what type of market we're thinking of in that
11 ordinance, and of course, since it's not done, I
12 don't know how people think things are done, but
13 I'll thank Bob anyhow for moving it to this stage
14 and several of the others involved in this,
15 because it's going to make our home values and our
16 lifestyle just one more notch better, so thank
17 you.

18 **MR. WEISBORD:** Thank you, Mr.
19 President. Nothing more.

20 **THE PRESIDENT:** Mr. Mayor, any
21 comments?

22 **THE MAYOR:** Nothing.

23 **THE PRESIDENT:** Anyone else?

24 (No response.)

25 **THE PRESIDENT:** Economic

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2 development.

3 **MS. TEVLIN-MOFFAT:** Thank you,
4 President Quinn.

5 In my short time here at the
6 table, stepping into economic development, the
7 course was set. So I should say that those
8 before me have done an outstanding job in my
9 evaluation. And in the time that I've been here,
10 in the fall and winter programs that Mr. Ridgeway
11 and others in this community have volunteered and
12 put on, on behalf of not just Narbs, but Nearbs
13 and beyond are very successful. As you saw
14 tonight, Mr. Ridgeway was able to present a very
15 large check and cover his own expenses for the
16 Business Association for the good work they do in
17 the community.

18 Mr. Martin told me at an
19 earlier meeting, told all of us at an earlier
20 meeting, what the revenue was from our small town
21 and our great businesses. And I think that in
22 our meeting tomorrow night, we will discuss or
23 Mr. Ridgeway will present for us the 2015
24 calendar. He will explain the lead time and what
25 he needs to present information and PR, shall we

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2 say, to the community and beyond for those events
3 that are coming up. Hopefully, in 2015, our
4 community is going to delve into the parameters
5 of our own economic development goals and discuss
6 whether we are grants or whether we are support
7 source. So there are conversations coming ahead
8 to what economic development really means and
9 participating in this. So we look forward to
10 sharing those things with you.

11 **THE PRESIDENT:** Anybody have
12 any questions or comments for economic
13 development?

14 **MR. WEGBREIT:** Can we just,
15 for the purposes of the public, to have the agenda
16 that we address who's on the committee with Gigi?

17 **THE PRESIDENT:** I believe I
18 mentioned that.

19 Mr. Martin, I think that
20 might be a good first task for our new assistant
21 manager?

22 **MS. TEVLIN-MOFFAT:** On the
23 economic development team is myself, Gigi Moffat,
24 Richard Diaz and Charlie Silio are the new
25 economic developers since I came onboard.

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2 **THE PRESIDENT:** Parking ad
3 hoc.

4 **MR. SILIO:** We were going to
5 have that meeting right after the building and
6 zoning meeting, but the building and zoning
7 meeting is moving. So whenever the building and
8 zoning meeting is, since we have two members that
9 are on both, we'll just do it right after that and
10 I'll make myself available. It won't on the 26th.

11 **THE PRESIDENT:** Anybody have
12 any questions or comments for Council?

13 (No response.)

14 **THE PRESIDENT:** Back again to
15 citizens present to address Council. Would anyone
16 like to address Council on any other issue other
17 than 100 Forrest Avenue?

18 (No response.)

19 **THE PRESIDENT:** Anyone want to
20 tell us what a great job we did hiring Mr.
21 Metrick?

22 Next up resolutions, Agenda
23 Item 8. I'll turn it over to Councilman
24 Weisbord.

25 **MR. WEISBORD:** Let's do the

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2 motion for hearing first. And I may need some
3 assistance with the language for that motion, Mr.
4 Jonas.

5 I want to move that we
6 schedule hearings for Ordinance No. 978 and 979?

7 **THE PRESIDENT:** No, not 978.

8 **MR. WEISBORD:** 979 and
9 Ordinance 980, that are scheduled for the first
10 Borough Council meeting in March.

11 **MR. MUDERICK:** I'll second.

12 **MR. JONAS:** I would announce
13 the date.

14 **MR. WEISBORD:** And to please
15 transmit -- to authorize the Borough manager to
16 transmit the Ordinances zoning amendment to the
17 Montgomery County Planning Commission for review
18 and to the Narberth Planning Commission for review
19 within 31 days.

20 **MR. MUDERICK:** So that would
21 be March 9th at 7:00 p.m.?

22 **MR. WEISBORD:** We should
23 schedule a hearing for 7:30.

24 Mr. Martin, do you have a
25 recommendation about how we should schedule that

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2 meeting? Should we do it concurrent with the
3 Council meeting at 8:00?

4 **MR. MARTIN:** I would schedule
5 it for 7:30.

6 **MR. WEISBORD:** So moved.

7 **THE PRESIDENT:** Let's back up
8 and put March 9th in it.

9 **MR. WEISBORD:** March 9th, at
10 7:30 is the time. So that's the motion.

11 **THE PRESIDENT:** Let's have you
12 restate it so the court reporter can get it all
13 down in one accurate swoop?

14 **MR. WEISBORD:** I move to
15 schedule a public meeting for Ordinance 979 and
16 Ordinance 980, to be scheduled for the March 9th
17 meeting of Council at 7:30 p.m.

18 **MR. MUDERICK:** I second.

19 **MR. WEISBORD:** And I have a
20 second motion then.

21 **THE PRESIDENT:** We have a
22 motion and a second. Any discussion?

23 (No response.)

24 **THE PRESIDENT:** All in favor
25 of passing motion for building and zoning to

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2 schedule the hearing for March 9th, please say
3 aye.

4 **MR. MUDERICK:** Aye.

5 **MR. WEGBREIT:** Aye.

6 **MR. WEISBORD:** Aye.

7 **MR. SILIO:** Aye.

8 **MR. DIAZ:** Aye.

9 **MS. TEVLIN-MOFFAT:** Aye.

10 **THE PRESIDENT:** Aye.

11 Any opposed?

12 (No response.)

13 **THE PRESIDENT:** Motion

14 carries.

15 **MR. JONAS:** Can I get one
16 point of information from the Borough manager,
17 which is -79 and which is -80 now, because they
18 were originally numbered as -78 and -79? So which
19 is -79 and which is -80?

20 **MR. MARTIN:** -79 is the
21 existing -79.

22 **MR. JONAS:** So that's the
23 rules and regulations?

24 **MR. MARTIN:** Right.

25 **MR. JONAS:** So -80 is the

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2 Zoning Ordinance.

3 **MR. MARTIN:** Zoning Ordinance,
4 right.

5 **MR. JONAS:** Thank you very
6 much.

7 **MR. WEISBORD:** Next motion
8 would be to authorize Borough manager to transmit
9 the Zoning Amendment, Ordinance No. 980 to the
10 Montgomery County Planning Commission and Narberth
11 Planning Commission for their review.

12 **MR. MUDERICK:** Second.

13 **THE PRESIDENT:** Any
14 discussion?

15 (No response.)

16 **THE PRESIDENT:** All in favor
17 adopting the motion, please say aye.

18 **MR. MUDERICK:** Aye.

19 **MR. WEGBREIT:** Aye.

20 **MR. WEISBORD:** Aye.

21 **MR. SILIO:** Aye.

22 **MR. DIAZ:** Aye.

23 **MS. TEVLIN-MOFFAT:** Aye.

24 **THE PRESIDENT:** Aye.

25 Any opposed?

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2 (No response.)

3 **THE PRESIDENT:** Motion carries
4 unanimous.

5 **MR. WEISBORD:** Three motions.
6 That the Building and Zoning Committee recommend
7 approval of the following.

8 Can I do them all as one
9 motion for all three or should we do them
10 separately, Mr. Jonas?

11 **MR. JONAS:** Separately,
12 because one requires waivers.

13 **MR. WEISBORD:** Okay. Here's
14 the first. This is the matter of the tennis
15 courts.

16 Members of the Building and
17 Zoning Committee recommend the approval of the
18 following motion concerning the subdivision
19 2014-4 for the property located at 630 Montgomery
20 Avenue, Narberth, PA, the tennis courts.

21 **MR. DIAZ:** I'll second.

22 **THE PRESIDENT:** Any
23 discussion?

24 (No response.)

25 **MR. WEGBREIT:** For those of

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2 you out there, they're planning on putting --
3 where the outdoor tennis courts are on Haverford
4 Avenue, the developers -- the clay courts at
5 Julian Krinsky -- they're planning on putting four
6 houses up there at this point. Two twins, I
7 believe. There's detail available. But I wanted
8 to -- you're hearing an address and a motion.
9 There's four houses. It's a development, you
10 know. Apparently, they worked with the Planning
11 Commission, and that's the background.

12 **MR. SILIO:** Presented at the
13 December Council meeting?

14 **MR. WEGBREIT:** Yeah.

15 **THE PRESIDENT:** In accordance
16 with all applicable local State and county rules,
17 I presume. Any further discussion?

18 (No response.)

19 **THE PRESIDENT:** All in favor
20 of passing the motion from Building and Zoning,
21 please say aye.

22 **MR. MUDERICK:** Aye.

23 **MR. WEGBREIT:** Aye.

24 **MR. WEISBORD:** Aye.

25 **MR. SILIO:** Aye.

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2 **MR. DIAZ:** Aye.

3 **MS. TEVLIN-MOFFAT:** Aye.

4 **THE PRESIDENT:** Aye.

5 Any opposed?

6 (No response.)

7 **THE PRESIDENT:** Motion carries
8 unanimous.

9 **MR. WEISBORD:** For the public,
10 the second motion concerns 232 North Narberth
11 Avenue. It's the Nistico property, at the corner
12 of Woodbine and North Narberth Avenue. They have
13 an extra wide, sort of a double-wide lot for the
14 stone house on the corner, and they're asking to
15 put a property line in to create two lots.

16 Council members, the members
17 of the Building and Zoning Committee recommend
18 the approval of the following motion concerning
19 subdivision 2014-3 for be property located at 232
20 North Narberth Avenue, in Narberth, PA, Nistico.

21 **THE PRESIDENT:** Second.

22 **MR. MUDERICK:** I'll second.

23 **THE PRESIDENT:** Any
24 discussion?

25 (No response.)

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2 **THE PRESIDENT:** All in favor
3 of adopting the motion, please say aye.

4 **MR. MUDERICK:** Aye.

5 **MR. WEGBREIT:** Aye.

6 **MR. WEISBORD:** Aye.

7 **MR. SILIO:** Aye.

8 **MR. DIAZ:** Aye.

9 **MS. TEVLIN-MOFFAT:** Aye.

10 **THE PRESIDENT:** Aye.

11 Any opposed?

12 (No response.)

13 **THE PRESIDENT:** Motion carries
14 unanimous.

15 Councilman Weisbord.

16 **MR. WEISBORD:** The third
17 motion concerns 316 North Essex Avenue. It's a
18 property at the corner of -- actually, it's
19 changing the property line between two properties
20 that occupy the two lots between Essex Avenue and
21 Price Avenue on the south side of Essex Avenue and
22 Dudley Avenue on the south side of Price. It's
23 Eli Holtman's property. And they are by rights
24 moving the property line either north or south. I
25 don't know.

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2 **MS. BOISE:** West.

3 **MR. WEISBORD:** Thank you.

4 Members of the Building and
5 Zoning Committee recommend the approval of the
6 following motion considering the subdivision
7 2014-5 for the property located at 316 North
8 Essex Avenue, Narberth, PA, Holtman.

9 **MR. DIAZ:** Second.

10 **THE PRESIDENT:** Any
11 discussion?

12 (No response.)

13 **THE PRESIDENT:** All in favor
14 of passing this motion, please say aye.

15 **MR. MUDERICK:** Aye.

16 **MR. WEGBREIT:** Aye.

17 **MR. WEISBORD:** Aye.

18 **MR. SILIO:** Aye.

19 **MR. DIAZ:** Aye.

20 **MS. TEVLIN-MOFFAT:** Aye.

21 **THE PRESIDENT:** Aye.

22 Any opposed?

23 (No response.)

24 **THE PRESIDENT:** Motion carries
25 unanimous.

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2 Councilman Weisbord, would
3 you add that motion regarding 232?

4 **MR. WEISBORD:** These are
5 motions to grant waivers for 232 Narberth Avenue.

6 I move to grant waivers for
7 the Sections 113-8(D)(4) and (5) and
8 113-9(A)(2)(B)(1) to (3) requiring profiles of
9 existing sanitary sewers, roadways, and drains to
10 be shown on the preliminary and final subdivision
11 plans.

12 **THE PRESIDENT:** Second?

13 **MR. MUDERICK:** Second.

14 **THE PRESIDENT:** Any
15 discussion?

16 **MR. WEGBREIT:** We are granting
17 waivers. Since we have people here, I think it's
18 always good to kind of give a description of what
19 the process the applicant wanted through and what
20 the Borough did as far as reviewing it by our
21 professionals, by our engineering staff. I don't
22 know what you have from Mr. Martin and Mr. Jonas.
23 Just describe, you know, what they came to us, how
24 much back and forth, how much time, what was
25 involved.

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2 **MR. MARTIN:** The subdivision
3 concerning the 232 North Narberth Avenue actually
4 began with the requirement for a zoning hearing.
5 The zoning hearing will establish the fact that
6 once the property was subdivided, the existing
7 property at the corner of Woodbine and North
8 Narberth Avenues had no off-street parking.
9 Technically, you can't subdivide yourself into a
10 variance. The applicants went to a zoning hearing
11 middle of last year and that allowed them the
12 opportunity to place the off-street parking
13 required under the Code in the side and rear yard
14 setback area as provided as a special exception
15 under the Zoning Code.

16 The next process was -- that
17 was granted by the members of the Zoning Hearing
18 Board. Then the plans were submitted for the
19 subdivision of the property, which is located
20 immediately south of the house at 232 Narberth
21 Avenue. Their plans were submitted and prepared
22 by Momenee and submitted to our engineering
23 department as well as a copy to the Montgomery
24 County Planning Commission.

25 The review actually took a

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2 number of months, starting approximately
3 August 22. There were three or four revisions
4 consisting of seven sheets and a landscaping plan
5 that was finally dated December 22, 2014.

6 The approval of that was then
7 moved. At the same time, each one of the plans
8 that were being reviewed were handled by the
9 solicitor as to form and substance. And as of
10 about 24 hours ago, we received not only the
11 motion for the preliminary subdivision plan
12 removal for 232 North Narberth, but also for the
13 need for some of the waivers that Mr. Weisbord is
14 going to continue to take numerically.

15 **MR. WEISBORD:** So this next
16 motion is rather lengthy. It includes eleven
17 points.

18 **MR. DIAZ:** Sorry. Do we still
19 have a pending motion?

20 **MR. WEGBREIT:** Yes. We're in
21 discussion on the first motion.

22 **MR. WEISBORD:** We made a
23 motion and a second.

24 **MR. WEGBREIT:** Thank you for
25 the response and, you know, I think that type of

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2 detail that we hear on a regular basis. It's nice
3 when somebody is here that you can see how much
4 the Borough office, the Borough engineer, the
5 solicitor get involved in. So thank you for
6 indulging us.

7 **MR. MARTIN:** My pleasure.

8 **THE PRESIDENT:** Anybody else
9 want to say anything?

10 (No response.)

11 **THE PRESIDENT:** All in favor
12 of passing the motion, please say aye.

13 **MR. MUDERICK:** Aye.

14 **MR. WEGBREIT:** Aye.

15 **MR. WEISBORD:** Aye.

16 **MR. SILIO:** Aye.

17 **MR. DIAZ:** Aye.

18 **MS. TEVLIN-MOFFAT:** Aye.

19 **THE PRESIDENT:** Aye.

20 Any opposed?

21 (No response.)

22 **THE PRESIDENT:** Motion carries
23 unanimous.

24 **MR. WEISBORD:** This is the
25 second motion for preliminary finding subdivision

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2 planning approval for 232 North Narberth Avenue.

3 **THE PRESIDENT:** We did that.

4 **MR. WEISBORD:** There's a
5 second. There's only two motions to be done --
6 one was the waiver and one was for the plan
7 approval. You already did the plan approval. We
8 caught up and did the waiver. I think we're good.

9 **THE PRESIDENT:** Is there any
10 more resolutions or motions that I'm unaware of
11 that we want to do tonight?

12 **MR. WEGBREIT:** Resolutions for
13 the --

14 **THE PRESIDENT:** The Todd Brasi
15 Motion?

16 **MR. WEGBREIT:** Yes.

17 **THE PRESIDENT:** You have the
18 floor.

19 **MR. WEGBREIT:** Motion or
20 resolution?

21 **MR. JONAS:** Motion.

22 **MR. WEGBREIT:** So I want to
23 make a motion for --

24 **MR. JONAS:** Prerogative of the
25 chair.

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2 **THE PRESIDENT:** That's all
3 right. Do a motion.

4 **MR. WEGBREIT:** I want to make
5 a motion for the Borough to appoint the services
6 of Todd Brasi for public art on the Narberth
7 Avenue bridge project with fees not to exceed
8 \$5,000.

9 **MR. WEISBORD:** I'll second
10 that.

11 **THE PRESIDENT:** Any
12 discussion?

13 **MR. SILIO:** Just to clarify
14 his role, Bob.

15 **MR. WEGBREIT:** His role. So
16 once we get into the whole public art, there's
17 going to be -- the first thing is the organization
18 of it. The second is the call for artists. We're
19 deciding -- I mean, if you just put up the sign on
20 some, you could get a thousand artists that have
21 no filtering. Because of his experience, how
22 he'll phrase it, how he'll work with some of local
23 experts, it will narrow down within context of
24 experience and such. And then once we narrow that
25 down with the aide of some of the advisors, Public

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2 Works Committee, and Borough Council, we'll
3 probably narrow down to a list of five to ten
4 artists. At that point it will be narrowed down
5 to two to three artists, where there will be a fee
6 paid for them to put very specific projects in,
7 and then the Council, again, will make the final
8 choice hopefully with the guidance of our group of
9 advisers, including Heidi Boise and others.

10 But it is not a simple
11 process. There's a lot of legal and technical
12 aspects that will be involved to make sure that
13 the materials are good, any rights to the art are
14 covered, all those type of details that will come
15 along, and that experience and professional will
16 give us a much better process, as well as
17 probably a better opportunity to see high-quality
18 art.

19 **MR. SILIO:** In other words, we
20 are moving that the Borough hire Todd Brasi to
21 manage the process of selection of the artist?

22 **MR. WEGBREIT:** Exactly.

23 **THE PRESIDENT:** Anybody else
24 have any comments or questions?

25 (No response.)

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2 **THE PRESIDENT:** You mentioned
3 an hourly rate.

4 **MR. WEGBREIT:** The hourly rate
5 in this proposal was \$125 an hour and not to
6 exceed a total project cost of \$5,000.

7 I can't imagine the hourly
8 rate coming under that. That's why I didn't
9 spend time on that.

10 **THE PRESIDENT:** Will this
11 committee also develop, like, a budget for the art
12 portion?

13 **MR. WEGBREIT:** Yes.

14 **THE PRESIDENT:** I know some
15 years ago we, I think, allocated 50,000 for
16 Venturi Scott Brown; right? Will this, the
17 results of this committee and Mr. Brassie
18 advisement, will that be a new budget or an
19 additional budget?

20 **MR. WEGBREIT:** It most likely
21 will. The cost of the art and the -- again, there
22 are some funding opportunities out there. Again,
23 you have to have a specific plan. This is to
24 build the plan, and, you know, the type of art
25 could range from a \$5,000 cost to a \$50,000 cost.

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2 Of course, maintaining that cost, you know, is
3 going to be key. But this is the first step is
4 having someone oversee the process and then come
5 back to Council in the next few months for the
6 better picture of what the cost will be and make
7 sure we want to continue that and we are limited
8 on what we need to spend.

9 **THE PRESIDENT:** Will finance
10 have to get involved or do any more at public
11 hearings as far as considering the budget for the
12 art or will that be done during this process?

13 **MR. MARTIN:** That will be done
14 during this project.

15 **THE PRESIDENT:** Very good.
16 Anybody else have any
17 questions?

18 (No response.)

19 **THE PRESIDENT:** All those in
20 favor of adopting the motion from Public Works and
21 the bridge, please say aye.

22 **MR. MUDERICK:** Aye.

23 **MR. WEGBREIT:** Aye.

24 **MR. WEISBORD:** Aye.

25 **MR. SILIO:** Aye.

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2 **MR. DIAZ:** Aye.

3 **MS. TEVLIN-MOFFAT:** Aye.

4 **THE PRESIDENT:** Aye.

5 Any opposed?

6 (No response.)

7 **THE PRESIDENT:** Motion carries
8 unanimous.

9 Number 10 we covered. We'll
10 go to unfinished business.

11 Anyone have any unfinished
12 business at the table?

13 (No response.)

14 **THE PRESIDENT:** Anyone have
15 any new business, Agenda Item 12?

16 **MR. WEGBREIT:** The only thing
17 I would say before adjournment, I would like to
18 see Council move to executive session after this
19 meeting to discuss a property matter.

20 **THE PRESIDENT:** Yeah. We're
21 going to address 100 Forrest Avenue again in
22 executive session. However, in order to make sure
23 there can be no more official action tonight, we
24 need to adjourn unless Council would like to take
25 any additional official action tonight, and that

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2 way everyone in the room will know that we're not
3 going to do anything without anyone in the room
4 officially.

5 Motion to adjourn will be
6 entertained?

7 **THE MAYOR:** I have business.
8 If it's any consolation, given the horrible
9 weather and the cold, Narberth baseball is open up
10 for registration. You can go on line and sign up.
11 Movie night is Friday night. We're showing
12 *Frozen*.

13 **MR. SILIO:** Motion to adjourn.

14 **MR. WEISBORD:** So moved.

15 **THE PRESIDENT:** Second?

16 **MS. TEVLIN-MOFFAT:** Second.

17 **THE PRESIDENT:** All in favor?

18 **MR. MUDERICK:** Aye.

19 **MR. WEGBREIT:** Aye.

20 **MR. WEISBORD:** Aye.

21 **MR. SILIO:** Aye.

22 **MR. DIAZ:** Aye.

23 **MS. TEVLIN-MOFFAT:** Aye.

24 **THE PRESIDENT:** Aye.

25 (At 9:48 p.m., proceedings

C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me in the above cause and that this is a correct transcript of the same.

Tim Kurek

Official Court Reporter

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